

DETAILED ACTION

This office action is a response to Applicant's amendment submitted March 24, 2010, wherein claims 1, 17, and 18 are amended and claims 36-37 are newly submitted.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gary Tanigawa on May 27, 2010.

The application has been amended as follows:

Cancel claims 13-16.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

In view of Applicant's amendment submitted March 24, 2010, the rejection of claims 17-21, 23-25, and 27 under 35 U.S.C. 103(a) as being unpatentable over Oreste as evidenced by Jacobsson is withdrawn. Oreste teaches compounds which contain 17-21% 3-O-sulfate groups in glucosamine units, which is significantly lower than the 40% or higher required by the claims.

The objection to claims 22 and 26 as being dependent upon a rejected base claim is withdrawn.

Claims 17-27, 36, and 37 are allowable. The restriction requirement with respect to Groups I and II, as set forth in the Office action mailed on September 14, 2007, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 1-12, directed to the preparation of the compounds of claims 17-27, 36, and 27, are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim. However, claims 13-16, directed to the preparation of compounds other than those of claims 17-27, 36, and 27 are withdrawn from consideration because claims 13-16 do not require all the limitations of an allowable claim. Claims 13-16 are canceled by Examiner's amendment as set forth above.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Claims 1-12, 17-27, and 36-37 are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAYLA BLAND whose telephone number is (571)272-9572. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anna Jiang can be reached on (571) 272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Layla Bland/
Examiner, Art Unit 1623

/Shaojia Anna Jiang/
Supervisory Patent Examiner
Art Unit 1623